

Notice of Allowability	Application No.	Applicant(s)	
	09/917,413	CROSS ET AL.	
	Examiner	Art Unit	
	James K. Trujillo	2116	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications filed 28 July 2001.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☒ The drawings filed on 7/28/02 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>02142005</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-17, drawn to powering down a card slot, classified in class 713, subclass 324.
 - II. Claim 18-20, drawn to booting a system using an intrusion detection device, classified in class 713, subclass 1.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as reducing boot time. See MPEP § 806.05(d).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

Claim 3 link(s) inventions I and II. The restriction requirement between the linked inventions is subject to the nonallowance of the linking claim(s), claim 3. Upon the allowance of the linking claim(s), the restriction requirement as to the linked inventions shall be withdrawn and any claim(s) depending from or otherwise including all the limitations of the allowable

Art Unit: 2116

linking claim(s) will be entitled to examination in the instant application. Applicant(s) are advised that if any such claim(s) depending from or including all the limitations of the allowable linking claim(s) is/are presented in a continuation or divisional application, the claims of the continuation or divisional application may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Where a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. *In re Ziegler*, 44 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

During a telephone conversation with Curtis Vock, Reg. No. 38,356 on 4 February 2005 a provisional election was made without traverse to prosecute the invention of I, claims 1-17. Affirmation of this election must be made by applicant in replying to this Office action. Claim 18-20 withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

2. The office acknowledges the receipt of the following and placed of record in the file:
Oath/Declaration dated 1/10/2002.
3. Claims 1-20 are presented for examination.

Allowable Subject Matter

4. Claims 1-17 are allowed.

5. The following is an examiner's statement of reasons for allowance:

Guthrie et al., U.S. Patent U.S. 5,784,576, teaches a computer system including a plurality of cells (an adapter card for each slot, col. 5, lines 40-44), each comprising at least one processor having an operating system associated therewith (processor not shown but inherently necessary in order to carry out I/O operations to devices 260), wherein each of the cells is connected to a peripheral backplane containing a plurality of peripheral I/O card slots (slots 304 through 306 col. 4, lines 45-54 and figure 3). Guthrie further teaches an event notification system for detecting and routing platform event information relating to removal and replacement of peripheral I/O cards during operation of the computer system, the event notification system comprising a supervisory processor (Control and Power Logic 208, figure 3), connected to each said cell via said backplane (figure 3). Guthrie also teaches a plurality of doorbell switches (door switches on lines 334, figure 3), each associated with a specific said I/O slot and operatively coupled to said supervisory processor, for providing, to the supervisory processor (as indicated by arrows on 334, figure 3), a doorbell event indicating that a user is ready to remove a specific I/O card from said card slot associated therewith (col. 5 lines 39-44). Guthrie further teaches wherein an operating system (O.S. and/or Control & Power Logic Interface 350) powers down the card slot associated with the specific said I/O card in response to notification of the doorbell event (col. 5 lines 50-57).

Klein et al., U.S. Patent 6,138,194, teaches an apparatus comprising a supervisory processor connected to a plurality of cells (controller 200, figure 2). Klein further teaches an operating system that powers down a card slot (figure 3 and corresponding text).

Carpenter et al., U.S. Patent 6,181,030, teaches an apparatus comprising a supervisory processor connected to a plurality of cells (Hot-swap Control, 208). Carpenter also teaches powering down a card slot (col. 2, lines 17-27).

Hayes et al., U.S. Patent 6,286,066, teaches an apparatus comprising a supervisory processor connected to a plurality of cells (Hot-Plug controller 322, figure 3). Hayes further teaches having an operating system associated with cells (Operating System 328, figure 3). Hayes also teaches powering down the card slot (figure 4).

Chan, U.S. Patent 6,658,507, teaches an apparatus that powers down a card slot using an operating system (col. 3 lines 9-20). Chan further teaches having plurality of cells.

Novak et al., U.S. Patent 6,771,510, teaches an apparatus having a plurality of cells (figure 3). Novak further teaches an apparatus having a plurality of doorbell switches (figure 3). Novak also teaches an operating system that powers down the card slot (col. 4 lines 32-46).

Cooper et al., U.S. Patent Application Publication 2003/0018843, teaches an apparatus having a plurality of cells (figure 7). Cooper further teaches powering down a card slot (paragraph 0002).

The prior art of record does not teach or suggest individually or in combination a local service processor in each cell, interfaced to the operating system and operatively coupled to the supervisory processor via a link for send said platform event including a doorbell event from the supervisory processor to the local service processor. Further, the prior art of record does not

Art Unit: 2116

teach or suggest individually or in combination a local processor on the cell containing the operating system responsible for the I/O slot.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James K. Trujillo whose telephone number is (571) 272-3677. The examiner can normally be reached on M-F (7:30 am - 5:00 pm) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (571) 272-3670. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James Trujillo
February 14, 2005


LYNNE H. BROWNE
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